

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702)384-5563
rschonfeld@cslawoffice.net
Attorney for Defendant, SALEUMKIAT KAYARATH

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	2:15-cr-305-GMN-GWF
)	2:14-cr-353-GMN-GWF
SALEUMKIAT KAYARATH, et al.)	
)	
Defendant.)	
_____)	

**STIPULATION TO CONTINUE THE HEARING RE REVOCATION OF SUPERVISED
RELEASE SCHEDULED FOR APRIL 2, 2024 AT 11:00 A.M.**

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by and through Assistant United States Attorney David C. Kiebler, Esq., and Defendant, **SALEUMKIAT KAYARATH**, by and through his attorney Richard A. Schonfeld, Esq., that the Revocation of Supervised Release Hearing currently scheduled for April 2, 2024, in this matter be vacated and continued to a date and time after August 19, 2024, as Defendant's state trial was continued to August 19, 2024 so that he could attend a settlement conference.

This Stipulation is entered into for the following reasons:

1. The parties have met and conferred and believe that for judicial economy purposes the revocation proceedings should be continued until after August 19, 2024, so that the case of *State of Nevada v. Kayarath* C-23-374424-1, which forms the basis for the highest level violation in the

Petition, can proceed to disposition. That case is scheduled for trial on August 19, 2024;

2. The Defendant and the State of Nevada have requested a Judicial Settlement Conference in the case of *State of Nevada v. Kayarath*, which may lead to a resolution of that case. If that case is resolved, it could help the parties in this case to facilitate a resolution;

3. That Counsel for Defendant has been in communication with Assistant United States Attorney David C. Kiebler and there is no objection to the continuance as outlined above;

4. The Defendant consents to the continuance being sought herein;

5. Additionally, denial of this request for continuance would result in a miscarriage of justice;

6. The additional time requested in this Stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(D) and 3161(h)(7)(A) when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(I) and 3161(h)(7)(B)(iv);

DATED this 26th day of March, 2024.

UNITED STATES ATTORNEY

CHESNOFF & SCHONFELD

/s/ David C. Kiebler

/s/ Richard A. Schonfeld

DAVID C. KIEBLER, AUSA

RICHARD A. SCHONFELD, ESQ.

501 Las Vegas Blvd. South, Suite 1100

520 South Fourth Street

Las Vegas, Nevada 89101

Las Vegas, Nevada 89101

Attorney for Plaintiff

Attorney for Defendant, Saleumkiat Kayarath

Tel: (702) 388-6336

Tel: (702) 384-5563

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FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Having considered the Stipulation of the Parties, and good cause being shown, the Court hereby finds and Orders as follows:

1. The parties have met and conferred and believe that for judicial economy purposes the revocation proceedings should be continued until after August 19, 2024, so that the case of *State of Nevada v. Kayarath* C-23-374424-1, which forms the basis for the highest level violation in the Petition, can proceed to disposition. That case is scheduled for trial on August 19, 2024;

2. The Defendant and the State of Nevada have requested a Judicial Settlement Conference in the case of *State of Nevada v. Kayarath*, which may lead to a resolution of that case. If that case is resolved, it could help the parties in this case to facilitate a resolution;

3. That Counsel for Defendant has been in communication with Assistant United States Attorney David C. Kiebler and there is no objection to the continuance as outlined above;

4. The Defendant consents to the continuance being sought herein;

5. Additionally, denial of this request for continuance would result in a miscarriage of justice;

6. The additional time requested in this Stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(D) and 3161(h)(7)(A) when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(I) and 3161(h)(7)(B)(iv);

1 **IT IS THEREFORE ORDERED** that the Revocation of Supervised Release Hearing
2 currently scheduled for April 2, 2024 at the hour of 11:00 a.m. be continued to 9/4/24 at 9 AM.
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4 **IT IS SO ORDERED.**

5 **DATED** this 26 day of March, 2024.

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GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Richard A. Schonfeld

RICHARD A. SCHONFELD, ESQ.

Nevada Bar No. 6815

520 South Fourth Street

Las Vegas, Nevada 89101

rschonfeld@cslawoffice.net

Attorney for Defendant